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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,081	12/15/2003	Alan G. Dry	1-74127	3258

27377 7590 10/06/2005

MACMILLAN, SOBANSKI & TODD, LLC  
ONE MARITIME PLAZA-FOURTH FLOOR  
720 WATER STREET  
TOLEDO, OH 43604

EXAMINER

ORTIZ, ANGELA Y

ART UNIT	PAPER NUMBER
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1732

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/736,081

Applicant(s)

DRY ET AL.

Examiner

Angela Ortiz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 September 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 21-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 21-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sanchez et al., USP 5,756,026 (of record) in view of Van Ert et al., USP 6,146,578.

The cited primary reference substantially teaches the basic claimed method of forming an interior trim component comprising a composite of textile fabric coated with a moldable plastic backing layer (claim 22). Note that the fabric and backing layer are readable on the component, coverstock and substrate as claimed. The backing layer is exposed to radiant heating in a preheating process prior to placing the fabric within the mold, until the backing layer has softened or melted (claims 29, 30, 35, 36). The fabric is preheated to a temperature above the melting point of the backing layer, and is brought into contact with the backing layer so as to bond the two layers. The two layers are placed within the mold cavity of a compression molding apparatus. A compression molding process is performed as is well known in the molding art. See col. 5, lines 1-30, 60-67 and col. 6, lines 1-13, 55-67.

The cited primary reference does not teach a multilayered first material as claimed, a rigid panel, melting only a portion, the claimed thickness range or moving the components into engagement, per se.

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The added secondary reference teaches molding vehicle interior trim components (col. 3, lines 5-12) by providing at least one heated plastic substrate and cover member, and bringing the two parts into engagement wherein a sealed composite is formed. See col. 5, lines 5-45; col. 6, lines 25-50.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide and move two separate layers into engagement as shown in the added reference, when performing the process set forth in the primary reference, for molding and shaping a vehicle trim component having the desired layers.

With respect to claims 26, 27, note that the cited primary reference does set forth that the fabric layer may be a composite of thermoplastic materials, as well as a textile fabric with a thermoplastic face layer. It would have been obvious to one of ordinary skill in the art at the time the invention was made to so include any number of conventional materials, including composite layers as claimed and similarly shown in the applied reference, for molding a trim component of varied equivalent materials.

With respect claims 25, and to the claimed melted range, note that such ranges are conventional in the molding art and are further readily determined through routine experimentation.

With respect to claims 23, 24, 28, 31, 33, 34, and making a rigid panel and melting only a portion of the material, note that the primary reference does not preclude heating only portions of the fabric, and to select a localized area for heating is well within the level of ordinary skill in the art, and would have been obvious to one of ordinary skill in the art at the time the invention was made for providing the desired result only within

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the localized area. Note that both references set forth a shape-sustaining component, which is readable on a rigid panel, as both do not change their shape.

### ***Response to Arguments***

Applicant's arguments with respect to claims 21-36 have been considered but are moot in view of the new ground(s) of rejection.

The newly claimed limitations are set forth in the art rejection above.

### ***Conclusion***


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USP's 5185118; 6521157; 6929711.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela Ortiz whose telephone number is 571-272-1206. The examiner can normally be reached on Monday-Thursday 9:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianni can be reached on 571-272-1196. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Angela Ortiz  
Primary Examiner  
Art Unit 1732

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